

REMARKS/ARGUMENTS

Claims 1-14 and 16-20 are pending. By this Amendment, claims 1, 4, 8 and 11 are amended. Support for the amendments to claims 1, 4, 8 and 11 can be found, for example, in original claims 1, 4, 8 and 11. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 1, 3, 4 and 8 as indefinite under 35 U.S.C. §112, second paragraph. By this Amendment, claims 4 and 8 are amended to obviate the rejection. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 U.S.C. §102

The Office Action rejects claims 1-11, 13, 14 and 16-20 under 35 U.S.C. §102(b) over U.S. Patent No. 5,997,943 to Azzopardi et al. ("Azzopardi"). Applicants respectfully traverse the rejection.

Claim 1 recites "[a] two-component system for equipping a surface with an oil, water, and dirt repellent coating, the system, comprising: a first sealed vessel comprising a formulation 1; and a second sealed vessel comprising a formulation 2; wherein ... the system is configured so that the first sealed vessel and the second sealed vessel can be unsealed and their respective contents mixed together shortly before application to the surface" (emphasis added). Azzopardi does not disclose or suggest such a two-component system.

The Office Action asserts that the components of Azzopardi must be stored in containers prior to mixing and that those containers must be, in some fashion, sealable. *See* Office Action, page 2. While Applicants submit that this is a somewhat strained reading of

Azzopardi, Applicants note that the amendments to claim 1 set forth above more clearly distinguish the claim over Azzopardi. In particular, Azzopardi fails to disclose a configuration in which the disclosed components are actually sealed in separate containers. Applicants submit that these amendments give effect to the Office Action's "conceptualization of that which applicant visualizes as his invention and how it differs from the disclosure of the reference." *See* Office Action, page 2.

As discussed previously, the system of claim 1 is a kit including two formulations. Applicants developed a system that is stable during storage, but is particularly reactive upon application, for the purpose of creating abrasion-resistant coats. This system was achieved by developing a kit including two formulations provided so that they can be brought together in simple manner immediately before application and, at that time, provide an extremely reactive composition that can be applied to a substrate to obtain a coating with high abrasion resistance. By contrast, the formulations disclosed in Azzopardi must be used within one day or less, or they will no longer be sufficiently active – after any significant period time the formulations are "polymerized away." *See* Azzopardi, column 4, lines 15 to 19. Applicants have overcome this deficiency of the formulations of Azzopardi. The ready-to-use kit of claim 1 can be stored for much longer than 1 year without losing effectiveness. *See, e.g.*, present specification, page 3, lines 3 to 5. Moreover, Applicants note that it is apparent from the examples of Azzopardi that the disclosed formulations are not particularly resistant to abrasion (compare conditions and results of wiper tests in Azzopardi and the present application – the wiper test of Azzopardi is performed under much milder conditions than in the present application).

As Azzopardi fails to disclose or suggest a two-component system including a first sealed vessel comprising a formulation 1 and a second sealed vessel comprising a formulation 2, where the system is configured so that the first sealed vessel and the second

sealed vessel can be unsealed and their respective contents mixed together shortly before application to the surface, Azzopardi fails to disclose or suggest each and every feature of claim 1.

As explained, claim 1 is not anticipated by Azzopardi. Claims 2-11 and 13, 14 and 16-20 depend from claim 1 and, thus, also are not anticipated by Azzopardi. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

#### Rejection Under 35 U.S.C. §103

The Office Action rejects claim 12 under 35 U.S.C. §103(a) over Azzopardi in view of U.S. Patent No. 5,264,010 to Brancaleoni et al. ("Brancaleoni"). Applicants respectfully traverse the rejection.

Claim 1 is set forth above. For the reasons discussed above, Azzopardi does not disclose or suggest the two-component system of claim 1. Brancaleoni does not remedy the deficiencies of Azzopardi. The Office Action relies on Brancaleoni for its alleged disclosure of employing metal oxide slurries to polish glass surfaces. *See* Office Action, pages 2 to 3. However, Brancaleoni, like Azzopardi, fails to disclose or suggest fails to disclose or suggest a two-component system including a first sealed vessel comprising a formulation 1 and a second sealed vessel comprising a formulation 2, where the system is configured so that the first sealed vessel and the second sealed vessel can be unsealed and their respective contents mixed together shortly before application to the surface, as recited in claim 1. Accordingly, the combination of references fails to disclose or suggest each and every feature of claim 1.

As explained, claim 1 would not have been rendered obvious by Azzopardi and Brancaleoni. Claim 12 depends from claim 1 and, thus, also would not have been rendered obvious by Azzopardi and Brancaleoni. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For the foregoing reasons, Applicants submit that claims 1-14 and 16-20 are in condition for allowance. Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

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